

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings of claims in the application:

LISTING OF CLAIMS:

1-16. (canceled)

17. (currently amended) An information recording medium comprising a plurality of recording layers to record therein information, wherein

at least one of the plurality of recording layers has a management information area to record therein recording condition information which indicates an optimum recording condition for each recording layer when the information is recorded,

recording speed information which indicates the recordable maximum speed for each of the plurality of recording layers is recorded in the management information area,

the recording condition information for each of the plurality of recording layers is recorded in the management information area, correspondingly to the recording speed information,

the management information area is disposed nearer an inner circumference in a top layer out of the plurality of recording layers and includes a portion in which the recording condition information with respect to the plurality of recording layers is collectively recorded,

the recording condition information includes strategy information.

18-19. (cancelled)

20. (currently amended) The information recording medium according to claim 17-19, wherein a table on which the recording speed information and the recording condition information are registered for each of the plurality of recording layers, and which has an index, is recorded in the management information area.

21. (previously presented) The information recording medium according to claim 17, wherein identification information for identifying said information recording medium is recorded in the management information area.

22. (previously presented) The information recording medium according to claim 17, wherein the recording condition information is at least partially recorded from the beginning of production of said information recording medium, as pre-information of said information recording medium.

23. (previously presented) The information recording medium according to claim 17, wherein the recording condition information is at least partially recorded or updated, as written-once or rewritable information.

24. (cancelled)

25. (previously presented) The information recording medium according to claim 17, wherein the management information area is disposed in each of the recording layers.

26. (previously presented) The information recording medium according to claim 17, wherein the recording speed information is defined to indicate a higher speed in an upper layer side out of the plurality of recording layers.

27. (currently amended) An information recording apparatus for recording information onto an information recording medium comprising a plurality of recording layers to record therein the information, wherein at least one of the plurality of recording layers has a management information area to record therein recording condition information which indicates an optimum recording condition for each recording layer when the information is recorded, recording speed information which indicates the recordable maximum speed for each of the plurality of recording layers is recorded in the management information area the recording condition information for each of the plurality of recording layers is recorded in the management information area correspondingly to the recording speed information the management information area is disposed nearer an inner circumference in a top layer out of the plurality of recording layers, and includes a portion in which the recording condition information with respect to the plurality of recording layers is collectively recorded the recording condition information includes strategy information, said information recording apparatus comprising: a reading device for reading the recording condition information from the management information area;

a recording speed setting device for setting a recording speed corresponding to a recording target layer in which the information is to be recorded, on the basis of the read recording condition information; and

a recording device for recording the information into the recording target layer at the set recording speed.

28. (currently amended) The information recording apparatus according to claim 27, wherein

~~recording speed information which indicates the recordable maximum speed for each of the recording layers is recorded in the management information area, and the recording condition information for each of the recording layers is recorded, correspondingly to the recording speed information, and~~

said recording speed setting device sets the recording speed and the optimum recording condition corresponding to the recording target layer, on the basis of the recording speed information and the recording condition information.

29. (currently amended) The information recording apparatus according to claim 27, wherein

~~recording speed information which indicates the recordable maximum speed for each of the recording layers is recorded in the management information area,~~

said information recording apparatus further comprises a storing device in which the recording condition information which indicates an optimum recording condition for each of a plurality of recordable maximum speeds is registered,

    said reading device reads the recording speed information from the management information area, and

    said recording speed setting device sets the recording speed and the optimum recording condition, on the basis of (i) the read recording speed information and (ii) a recording condition information which corresponds to the read recording speed information, out of the recording condition information which is registered in said storing device.

30. (previously presented) The information recording apparatus according to claim 27, wherein

    identification information for identifying said information recording medium is recorded in the management information area,

said information recording apparatus further comprises a storing device in which (i) recording speed information which indicates the recordable maximum speed and (ii) the recording condition information which indicates an optimum recording condition for each of a plurality of recordable maximum speeds are registered, for each identification information for identifying respective one of a plurality of information recording media,

said reading device reads the identification information from the management information area, and

said recording speed setting device sets the recording speed and the optimum recording condition, on the basis of a recording speed and an optimum recording condition which correspond to the read identification information, out of the recording speed information and the recording condition information which are registered in said storing device.

31. (currently amended) An information recording method of recording information onto an information recording medium comprising a plurality of recording layers to record therein the information, wherein at least one of the plurality of recording layers has a management information area to record therein recording condition information which indicates an optimum recording condition for each recording layer when the information is recorded, recording speed information which indicates the recordable maximum speed for each of the plurality of recording layers is recorded in the management information area the recording condition information for each of the plurality of recording layers is recorded in the management information area correspondingly to the recording speed information the management information area is disposed nearer an inner circumference in a top layer out of the plurality of recording layers and includes a portion in which the recording condition information with respect to the plurality of recording layers is collectively recorded the recording condition information includes strategy information, said information recording method comprising: a reading process of reading the recording condition information from the management information area;

a recording speed setting process of setting a recording speed corresponding to a recording target layer in which the information is to be recorded, on the basis of the read recording condition information; and

a recording process of recording the information into the recording target layer at the set recording speed.

32. (cancelled)

33. (previously presented) The information recording medium according to claim 17, wherein the recording condition information includes optimum power information of laser for recording.